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## FACSIMILE TRANSMITTAL SHEET

|               |                                 |                                     |                     |
|---------------|---------------------------------|-------------------------------------|---------------------|
| TO:           | Examiner Nghi Ly                | FROM:                               | Benjamin S. Withrow |
| COMPANY:      | PTO - Art Unit 2682             | DATE:                               | 8/2/2002            |
| FAX NUMBER:   | 703-872-9315                    | TOTAL NO. OF PAGES INCLUDING COVER: | 5                   |
| PHONE NUMBER: | 703-305-3900                    | SENDER'S REFERENCE NUMBER:          | 7000-075            |
| RE:           | Response to Final Office Action | YOUR REFERENCE NUMBER:              | 09/898,357          |

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ ORIGINAL TO FOLLOW

## NOTES/COMMENTS:

Attached please find the following documents related to the above-referenced application:

- 1) Response to the Office Action Mailed 01 July 2002 (4 pages)

NOTE: The information contained in this transmission is privileged and confidential and intended ONLY for the individual or entity named above. If you should receive this transmission in error, please notify our office and return to the below address via the U.S. Postal Service.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joyce et al.

Serial No. 09/898,357

Filed: 07/03/2001

For: LOCATION-BASED CONTENT DELIVERY

Examiner: Ly, Nghi H.

Art Unit: 2682

Commissioner for Patents

Box AF

Washington, D.C. 20231

Sir:

**RESPONSE TO THE OFFICE ACTION MAILED 01 JULY 2002**

In response to the office action mailed 01 July 2002, Applicant offers the following remarks. If any fees are required in association with this response, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

**REMARKS**

Claims 1-23, 25, and 26 are pending and rejected under 35 U.S.C. § 102(a) as being anticipated by Hollenberg. Applicant appreciates the phone call with the Examiner when the Examiner explained his interpretation of the reference relative to localities and equivalencies between claim elements and what is shown in the Hollenberg reference.

The present invention is perhaps easy to misunderstand, but the invention is patentably distinct from the reference cited. The present invention relates to a locality. The definition accepted by the Patent Office on page 6 of the Office Action, namely that a locality is "a defined area associated with a point of presence," is acceptable for the purposes of the present discussion. Localities are defined for points of presence such as stores, geographic areas, landmarks, or the like. Examples of localities are provided in Figures 4A-4C. When a mobile terminal enters the locality, such as by comparing a GPS reading to coordinates associated with the locality, content associated with the locality is provided to the mobile terminal. Thus, when, for example, the mobile terminal enters Ronald Reagan International Airport, the mobile terminal receives information about the Victoria Secret Store, the Cheesecake Factory, the specials that USAIR is running, and other similar bits of content that are all related to the locality, namely Ronald Reagan International Airport. Other permutations on this exist and will be discussed in the relevant claims.